

REMARKS

Claims 30 to 34, 36 and 37 were rejected under 35 U.S.C. §102(b) as being anticipated by Sugiura et al. (US 2001/0022134). Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sugiura et al. as applied to claim 30 above, in view of Ishizuka (US 4,379,425). Claims 38 to 48 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 30, 39 and 45 have been amended.

Reconsideration of the application based on the following remarks is respectfully requested.

Rejections under 35 U.S.C. §102(b)

Claims 30 to 34, 36 and 37 were rejected under 35 U.S.C. §102(b) as being anticipated by Sugiura et al. (US 2001/0022134).

Sugiura et al. discloses a “method and apparatus for producing hollow piston for compressor by forging.” The piston includes “a head portion which is slidably fitted in a cylinder bore of the compressor and the engaging portion which engages a reciprocating drive device for the compressor.” (See Abstract lines 2 to 5). “The two opposed lateral walls of the U-shape of the engaging portion have respective recesses which are opposed to each other. Each of these recesses is defined by a part spherical inner surface of the lateral wall. The pair of shoes...are held in contact with the opposite surface of the swash plate at its radially outer portion and are received in the respective part spherical recesses. Thus, the engaging portion slidably engages the swash plate through shoes.” (Page 6, paragraph [0064], lines 9 to 18).

Claim 30 has been amended to recite “wherein the brace has an opening on the second side of the piston brace, opposite the piston body.” Support is found in the specification at paragraph [0017] and [0038], in Figure 1, and in original claim 1, for example.

Sugiura et al. does not teach or show, “wherein the brace has an opening on the second side of the piston brace, opposite the piston body,” as now recited in claim 30. Sugiura et al. does not have openings in the brace.

Withdrawal of the rejection of independent claim 30 under 35 U.S.C. §102(b) and its dependent claims is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claim 35 was rejected under 35 U.S.C. §103(a) as being unpatentable over Sugiura et al. as applied to claim 30 above, in view of Ishizuka (US 4,379,425).

Sugiura et al. is discussed above.

Ishizuka discloses a “double-acting piston compris[ing] a pair of piston heads provided at opposite ends thereof and an intermediate coupling member interposed between the piston heads to couple same to each other.” (Col 2, lines 2 to 5). “The first parts of the piston heads have opposed inner ends spaced from each other and cooperating with the intermediate coupling member to define therebetween a central recess opening radially inwardly of the compressor and in which the swash plate has its peripheral fringe engaged via shoes.” (Col. 2, lines 16 to 22).

In light of the discussion above, it is respectfully requested the rejection of dependent claim 35 be withdrawn.

Furthermore, with respect to claim 35, one of skill in the art would not have found it obvious to combine Sugiura et al. and Ishizuka. There is no motivation to combine Sugiura et al. and Ishizuka.

Withdrawal of the rejection of claim 35 under 35 U.S.C. §103(a) is respectfully requested.

Allowable Subject Matter

Claims 38 to 48 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 39 and 45 have been amended and placed in independent form.

In light of the discussion above and the amendments to claims 39 and 45, withdrawal of the objections to claims 38 to 48 is respectfully requested.


CONCLUSION

It is respectfully submitted that the application is in condition for allowance and applicants respectfully request such action.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

Respectfully submitted,

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